

RECEIVED  
CENTRAL FAX CENTER

AUG 31 2004

**FACSIMILE COVER SHEET**

VAN PELT & YI LLP  
10050 N. Foothill Blvd.  
Suite 200  
Cupertino, CA 95014  
Tel: (408) 973-2585  
Fax: (408) 973-2595

August 30, 2004

TO: United States Patent and Trademark Office

**FAX: 703 - 872-9306****CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on

August 31, 2004

Signed: \_\_\_\_\_

Vicki Lorist  
Vicki Lorist

Re: United States Patent Application No. 10/045,662  
Docket No: ELECP006C1  
No. Pages: (including this cover sheet) TEN

**MESSAGE:**

Attached are:

1. Petition for Revival of An Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (2 pages)
2. Request for Continued Examination (RCE) Transmittal (2 pages);  
and
3. Amendment B (5 pages)

**CONFIDENTIALITY NOTE**

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named below. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copy of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

RECEIVED  
CENTRAL FAX CENTER  
AUG 31 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	Kevin L. Hunter	Examiner:	Cliff N. Vo
Application No.:	10/045,662	Art Unit:	2671
Filed:	October 18, 2001	Docket No.:	ELECP006C1
Title:	SYSTEM AND METHOD FO GENERATING AN ANIMATABLE CHARACTER		

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on August 31, 2004

Signed: Vicki Li

Vicki Lorist

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed February 24, 2004, Applicant mailed Amendment B on April 27, 2004 which was received by the USPTO on May 3, 2004.

No Advisory Action or other communication has been received by the Applicant from the USPTO after the submission of the Amendment B. The date of abandonment therefore is the day after the expiration date of the period set for reply in the Final Office Action (August 24, 2004).

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

## 1. Petition Fee

☐ Small Entity☒ Large Entity - \$1330.☐ Enclosed is Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.☒ Charge any additional fees or credit any overpayment to Deposit Account No. 50-0685, (Order No. ELECP006C1).

Attorney Docket No. ELECP006C1

Page 1 of 2

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of a Request for Continued Examination

- ☐ has been filed.  
☒ is enclosed herewith.

B. The issue fee of \$\_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_.  
☐ is enclosed herewith.

## 3. Terminal disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20 (d)) of \$\_\_\_\_\_) disclaiming the required period of time is enclosed herewith.

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Enclosures: ☒ Fee Payment

- ☒ Request for Continued Examination with Amendment B attached thereto.  
☐ Terminal Disclaimer Form  
☐ Additional sheets containing statements establishing unintentional delay.  
☐ Other: Statement Under 37 CFR 3.73 (b), and copies of assignments.

Respectfully submitted,



Lee Van Pelt  
Reg. No. 38,352

VAN PELT & YI LLP  
10050 N. Foothill Blvd.  
Suite 200  
Cupertino, CA 95014  
(408) 973-2585

RECEIVED  
CENTRAL FAX CENTER

AUG 31 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	Kevin L. Hunter	Examiner:	Cliff N. Vo
Application No.:	10/045,662	Art Unit:	2671
Filed:	October 18, 2001	Docket No.:	ELECP006C1
Title:	SYSTEM AND METHOD FO GENERATING AN ANIMATABLE CHARACTER		

**CERTIFICATE OF FACSIMILE**I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on August 31, 2004Signed: Vicki Lorist

Vicki Lorist

**AMENDMENT B filed with REQUEST FOR CONTINUED EXAMINATION  
and  
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1540

Dear Sir:

This is in response to the Office Action mailed February 24, 2004. The following amendments and remarks are respectfully submitted.

Application Serial No. 10/045,662  
Attorney Docket No. ELECP006C1

1 of 5

### IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-38. (cancelled)

39. (Currently amended) A method for generating a character in a computer system comprising:

constructing a skeleton of a predetermined object;

superimposing the skeleton with a digital image wherein the digital image includes the predetermined object; and

preparing the digital image~~The method of claim 32~~, wherein preparing the digital image includes background subtraction.

40. (Currently amended) A method for generating a character in a computer system comprising:

constructing a skeleton of a predetermined object;

superimposing the skeleton with a digital image wherein the digital image includes the predetermined object; and

preparing the digital image~~The method of claim 32~~, wherein preparing the digital image includes background subtraction by manually extracting the predetermined object.

41. (Currently amended) A method for generating a character in a computer system comprising:

constructing a skeleton of a predetermined object;

superimposing the skeleton with a digital image wherein the digital image includes the predetermined object; and

preparing the digital image~~The method of claim 32~~, wherein preparing the digital image includes performing background subtraction using a parameter of the skeleton.

42. (Currently amended) A method for generating a character in a computer system comprising:

constructing a skeleton of a predetermined object;  
superimposing the skeleton with a digital image wherein the digital image includes the predetermined object; and  
preparing the digital image~~The method of claim 32, wherein preparing the digital image includes capturing a real time image of the predetermined object.~~

43. (Currently amended) A method for generating a character in a computer system comprising:

constructing a skeleton of a predetermined object;  
superimposing the skeleton with a digital image wherein the digital image includes the predetermined object;  
preparing the digital image; and  
~~The method of claim 32, further comprising determining a topology of the skeleton.~~

44. (Currently amended) A method for generating a character in a computer system comprising:

constructing a skeleton of a predetermined object;  
superimposing the skeleton with a digital image wherein the digital image includes the predetermined object;  
preparing the digital image; and  
~~The method of claim 32, further comprising determining where a motion will occur.~~

45. (Currently amended) A method for generating a character in a computer system comprising:

constructing a skeleton of a predetermined object;  
superimposing the skeleton with a digital image wherein the digital image includes the predetermined object; and  
preparing the digital image~~The method of claim 32, wherein the personalized character can be animated.~~

46-52. (cancelled)

53. (Previously presented) A method for compressing video data comprising:  
developing an initial representation from an initial image of a known object;  
comparing a current image of said known object with said initial representation;  
developing a description of a position change of said known object between said current  
image and said initial representation; and  
transmitting data associated with the position change to animate said known object.
54. (Previously presented) A method as recited in claim 53 wherein said initial  
representation is a skeleton representation.
55. (Previously presented) A method as recited in claim 53 wherein said description  
includes a description at least one of a rod and a joint position.
56. (Previously presented) A method as recited in claim 53 wherein said description  
includes a description of at least one of a rod and a joint position is a relative position.
57. (Previously presented) A method as recited in claim 53 wherein said description  
includes a description of at least one of a rod and a joint position is an absolute position.
58. (Previously presented) A method as recited in claim 53 wherein said description is  
transmitted over a network.

**REMARKS**

Claims 32-38 and 46-52 have been cancelled. Claims 53-58 have been allowed by the Examiner. Claims 39-45 have been amended to clarify the subject matter regarded as the invention and to place the application in condition for allowance. Claims 39-45 and 53-58 remain pending.

The Examiner has indicated that claims 39-45 contain allowable subject matter. Claims 39-45 have been amended to include all of the limitations of independent claim 32, from which claims 39-45 depend directly. It is therefore believed that amended claims 39-45 are allowable.

Entry of the above amendments and allowance of all remaining pending claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,



Lee Van Pelt  
Reg. No. 38,352

V 408-973-2590  
F 408-973-2595

VAN PELT AND YI, LLP  
10050 N. Foothill Blvd., Suite 200  
Cupertino, CA 95014